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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/738,792	12/13/2000	Robert E. Haines	10003229-1	3809

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
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EXAMINER

OSMAN, RAMY M

ART UNIT	PAPER NUMBER
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2157

DATE MAILED: 04/05/2004

2

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application

09/738,792

Applicant(s)

HAINES ET AL.

Examiner

Ramy M Osman

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Specification

1. The title of the invention is not fully descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: Self-adjusting Consumable Order Assistance System.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-7, 11-19 and 21 are rejected under 35 U.S.C. 102(e) as being unpatentable over Hayward et al. (U.S. Patent No. 6,629,134).

4. In reference to claims 1 and 21, Hayward teaches a consumable order-assistance system for computer peripheral devices (see Abstract), comprising:

a personal computer having a messaging system (column 3 lines 1-45),

at least one computer peripheral device having a messaging system (column 3 lines 44-67 and column 5 lines 10-20),

a communication link signal coupling the personal computer with a provider of a consumable for the computer peripheral device (column 3 lines 1-25, column 5 lines 19-67 and

column 67 line 20-60, Hayward discloses an Internet connection between the computer and the peripheral manufacturer), and

a user interaction site configured to receive a notification from the computer peripheral device via the messaging system of a need to order a consumable (Summary, column 5 line 5 – column 6 line 60 and column 8 line 24 – column 9 line 20, Hayward discloses an interface receiving notification to order consumables for a peripheral device),

wherein the user interaction site is provided within one of: a single connection environment as an end user interface; an unmanaged network environment as a workgroup administrator interface; and a server-based centralized network environment as a centralized system administrator interface (Summary, column 3 lines 44-67 and column 5 line 5 – column 6 line 60, Hayward discloses an interface within a single connection environment).

5. In reference to claim 2, Hayward teaches consumable order-assistance system of claim 1 wherein the personal computer and the computer peripheral device are connected with a bus, and wherein the user interaction site comprises a printer driver of the personal computer provided within a single-connection environment (column 5 lines 10-20, Hayward discloses a bus connection and peripheral firmware communicating with an application on the computer).

6. In reference to claim 6, Hayward teaches a consumable order-assistance system of claim 1 wherein the user interaction site comprises a user interface of the personal computer (column 5 line 19 – column 6 line 60, Hayward discloses a computer user interface).

7. In reference to claim 7, Hayward teaches a consumable order-assistance system of claim 1 wherein the user interaction site comprises a user interface for facilitating user access to the computer peripheral device to receive notification of a need to order a consumable for the

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computer peripheral device (column 5 line 10 – column 6 line 60 and column 8 lines 24-67, Hayward discloses a user interface for receiving notification to order consumables for a computer peripheral device).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claim 3 rejected under 35 U.S.C. 103(a) as being unpatentable over Hayward et al. (U.S. Patent No. 5,812,776) in view of Mayo et al. (U.S. Patent No. 6,529,936).

Hayward teaches consumable order-assistance system of claim 1. Hayward fails to explicitly teach wherein the personal computer and the computer peripheral device are provided within an unmanaged network environment, the user interaction site comprises an embedded web server of the computer peripheral device, and the embedded web server generates and forwards a message to a user at the personal computer to prompt ordering of a consumable. However, Mayo teaches a computer system and a peripheral device within an unmanaged network environment, an embedded web server on the peripheral which forwards messages to the computer system (column 4 lines 35-67 and columns 5-7).

It would have been obvious for one of ordinary skill in the art to modify Hayward by making the consumable ordering system within an unmanaged network environment with an

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embedded web server on the peripheral device as per the teachings of Mayo so that the web server architecture can enable forwarding messages to a computer on a network.

10. Claim 4 rejected under 35 U.S.C. 103(a) as being unpatentable over Hayward et al. (U.S. Patent No. 5,812,776) in view of Kodimer et al. (U.S. Patent No. 6,003,078).

11. Hayward teaches consumable order-assistance system of claim 1. Hayward fails to explicitly teach wherein the personal computer and the computer peripheral device are provided within a network environment having a central server, the user interaction site comprises a network administrator personal computer communicating with the server, and a network management application provided on the server generates and forwards a message to a network administrator. However, Kodimer teaches workstations and peripheral devices in a network environment, a server workstation in communication with an administrator, and generating and transmitting an email message to a network administrator (Summary, column 3 line 1 – column 4 line 40 and column 12 line 40 – column 13 line 35).

It would have been obvious for one of ordinary skill in the art to modify Hayward by making the consumable ordering system within a network environment with a central server, a network administrator personal computer communicating with the server, and a server generating and forwarding a message to a network administrator as per the teachings of Mayo so that a network administrator can monitor the status of the peripheral device.

12. Claim 5 rejected under 35 U.S.C. 103(a) as being unpatentable over Hayward et al. (U.S. Patent No. 5,812,776) in view of Kageyama (U.S. Patent No. 6,333,790).

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13. Hayward teaches a consumable order-assistance system of claim 1. Hayward fails to explicitly teach wherein the user interaction site comprises a centralized administrator interface comprising a centralized purchaser, and wherein a centralized order-assistance tool of a network server delivers a notification to the centralized purchaser of a need to order a consumable. However, Kageyama teaches an administrator interface as a centralized purchaser receiving notification from a network, to order consumables (column 2 lines 39-67 and column 12 line 22 – column 13 line 51).

It would have been obvious for one of ordinary skill in the art to modify Hayward by making the consumable ordering system within a centralized administrator interface comprising a purchaser as per the teachings of Kageyama so that the consumable status of a variety of peripheral devices can be monitored from a central source, and receive order notification.

14. Claims 8-20 do not teach any new limitations above claims 1-7 and are therefore rejected for the above mentioned reasons.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramy M Osman whose telephone number is (703) 305-8050. The examiner can normally be reached on Monday through Friday 9AM to 5PM.

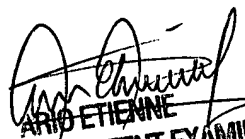
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (703) 305-7562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RMO

March 24, 2004


ARID ETIENNE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100